

law. This information is protected under the FOIA, and the FBI should not be required to disclose it.

As grounds for this motion, the FBI relies on the accompanying memorandum of law, as well as the Second Declaration of David M Hardy.

WHEREFORE, the FBI respectfully requests that the Court reconsider its August 17, 2016 Memorandum and Order finding that the FBI did properly assert FOIA Exemption 7(E).

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/ Jennifer A. Serafyn
Jennifer A. Serafyn, BBO# 653739
Assistant United States Attorney
United States Attorney's Office
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3188
Jennifer.Serafyn@usdoj.gov

Dated: December 22, 2016

LOCAL RULE 7.1(A)(2) CERTIFICATION

The parties have been unable to narrow the issues presented in this motion and agreed on a briefing schedule for Defendant's motion in the parties' recent Joint Status Report. Doc. 81.

/s/ Jennifer A. Serafyn
Jennifer A. Serafyn
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants.

/s/ Jennifer A. Serafyn

Jennifer Serafyn

Assistant United States Attorney

Dated: December 22, 2016